

Appl. No. 10/667,586
Office Action dated July 17, 2007
Amendment dated August 22, 2007

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REMARKS

Claims 44-71 are pending in the present application. Claims 1-43 are cancelled. Claim 44 was accidentally listed as "New" not "Previously Presented". Applicant apologizes for the error. claims 44-50, 53, 54, 59, 63-65 and 67-71 are allowed. Applicant gratefully acknowledges the allowance.

Objections

Claim 56 is objected to because the subscripts were hard to read on the facsimile transmission. Applicant has enlarged the formula to correct the error. This is not marked on the claims as an amendment because nothing is actually changed.

Claims 60 and 62 were objected to and have been cancelled.

Rejection under 35 USC § 112

Claim 55 is rejected under 35 USC § 112, first paragraph as one of the species apparently lacks the two methyl ligands. Applicant has been unable to find the error the Examiner refers to. Perhaps the "dimethyl" carried over onto the next line? In any event, the Examiner is authorized to insert "dimethyl" by Examiner's amendment.

Claim 61 is rejected under 35 USC § 112, first paragraph as the Examiner can find no support for the combination of NCA and Alumoxane. Applicant respectfully disagrees and submits that Page 74, at paragraph [0094], line 7 states "[c]ombinations of activators are also contemplated for use in the process, for example, alumoxane and ionizing activators in combinations...." Applicant submits this is adequate support for claim 61.

Claims 51 and 52 are rejected under 35 USC § 112, second paragraph. Claims 51, 52 and 57 have been cancelled.

Claim 55 is rejected under 35 USC § 112, second paragraph for including non-metallocene species. Applicant believes they have deleted all the compounds missing metals,

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however if Applicant has missed some, the Examiner is encouraged to call the Applicant so that an Examiner's amendment may be authorized.

Claim 56 is rejected under 35 USC § 112, second paragraph for including examples of R¹ and R². The examples have been deleted.

Claims 57 and 58 are rejected under 35 USC § 112, second paragraph for being dependent on rejected base claims. Claim 57 is cancelled and claim 58 is amended.

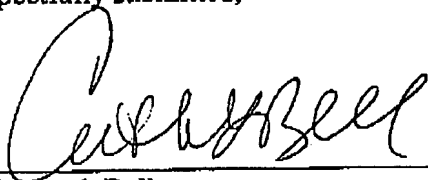
Claim 66 is rejected under 35 USC § 112, second paragraph for lack of antecedent basis for "the support". Applicant has amended the claim to make it dependent on claim 65.

CONCLUSIONS

In view of the above amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Prompt notice of allowance is respectfully solicited. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account number 05-1712. Moreover, if the deposit account contains insufficient funds, the Commissioner is hereby invited to contact Applicants' undersigned representative to arrange payment.

Respectfully submitted,

Date: 8/22/07


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